



**MINUTES OF THE SPECIAL JOINT MEETING OF THE  
CITY COUNCIL/HOUSING AUTHORITY/  
REDEVELOPMENT AGENCY OF THE CITY OF HAYWARD  
City Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, June 21, 2005, 8:00 p.m.**

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**MEETING**

The Meeting of the Special Joint City Council/Housing Authority/Redevelopment Agency was called to order by Mayor/Chair Cooper at 8:00 p.m., followed by the Pledge of Allegiance led by Council/HA/RA Member Quirk.

**ROLL CALL**

Present: COUNCIL/HA/RA MEMBERS Jimenez, Quirk, Halliday, Ward,  
Dowling, Henson  
MAYOR/CHAIR Cooper  
Absent: COUNCIL/HA/RA MEMBERS None

**PRESENTATIONS:** Hayward Youth Commission Community Service Scholarships

The Hayward Community Service Scholarship recognized four high school seniors in Hayward who have performed outstanding community service. Mayor Cooper presented each of the following students with the \$500 Hayward Youth Commission Community Service Scholarship: Erika Cazares from Hayward High School, Jennifer A. Christo from Moreau Catholic High School, David H. Lin from Tennyson High School, and Yogvidya Maharaj from Mt. Eden High School.

**Pride in Hayward Award**

The following Mt. Eden Area residents were honored with the Pride in Hayward Award for June: Hank and Melani Kurniadi, Benson and Geok Seah, Fred and Betty Williams, Virgilio and Lucena Cruz, and Daryl and Sharon Galarsa. Mayor Cooper thanked each for taking pride in their homes. She also urged the community to send her nominations for this award.

**PUBLIC COMMENTS**

John Kyle spoke on the proposed development at the airport and spoke against closing of the Vagabond Motel. He was not opposed to closing the gas station at that corner.

Dr. Marion Sanchez asked for use of the parking areas on property at the airport for conducting future fundraisers sponsored by the various charities that he supports. He noted that staff has denied his request and asked for Council approval. At the request of Mayor Cooper, City Manager Armas reported that due to negative reports from neighbors on a previous use in the City, as well as a proposed development on the property, it would not be an appropriate use at this time. There was some discussion with Mayor Cooper suggesting that if Council Members wish to make suggestions on such a use, it could be brought up under Council Items.

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## CONSENT

Consent Item #3 was removed for separate discussion.

1. Approval of the Minutes of the Special Joint City Council/Redevelopment Agency/Housing Authority Meeting of June 7, 2005

It was moved by Council/HA/RA Member Henson, seconded by Council/HA/RA Member Dowling, and carried unanimously, to approve the Minutes of the Special Joint City Council/Redevelopment Agency/Housing Authority Meeting of June 7, 2005

2. Foothill Boulevard/B Street Left Turn: Award of Contract

Staff report submitted by Deputy Director of Public Works Bauman, dated June 21, 2005, was filed.

It was moved by Council Member Henson, seconded by Council Member Dowling, and carried unanimously, to adopt the following:

Resolution 05-072, "Resolution Awarding Contract to Prism Engineering, Inc., for the Foothill Boulevard/B Street Left Turn Project, Project No. 5184"

Resolution 05-073, "Resolution Amending Resolution 04-102, As Amended, the Budget Resolution for Capital Improvement Projects for Fiscal Year 2004-05, Relating to an Appropriation of Funds From the Street System Improvement Fund (Fund 413) to the Foothill Boulevard/B Street Left Turn Project, Project NO. 5184"

3. Authorization for Acquisition of Ground Lease from RPD Vagabond Associates, L.P. and Assignment of Lease to Browman Development Company

Staff report submitted by Director of Public Works Butler, dated June 21, 2005, was filed.

Ed Bogue, Planning Commissioner, asked for a total of property that would be sold and asked whether the City could lease the property rather than sell it.

City Manager Armas responded that the total would be approximately four acres and with the intended development would not be a viable project if it is leased. The current financial benefit to the City from the Vagabond Motel is the lease income to the airport fund and the occupancy tax to the City's General Fund. This sale will put a substantial fund into the airport fund. The Council will need to consider its use in the future.

It was moved by Council Member Dowling, seconded by Council Member Quirk, and carried unanimously, to adopt the following:

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Resolution 05-77, "Resolution Authorizing the City Manager to Authorize the Acquisition of the Ground Lease From RPD Vagabond Associates and Assign the Lease to Browman Development Company"

4. Authorization and Adoption of the Vehicle License Fee Receivables Sale and Related Sale Resolutions

Staff report submitted by Acting Finance Director Lewis, dated June 21, 2005, was filed.

It was moved by Council Member Henson, seconded by Council Member Dowling, and carried unanimously, to adopt the following:

Resolution 05-074, "Resolution Approving the Form of and Authorizing the Execution and Delivery of a Purchase and Sale Agreement and Related Documents With Respect to the Sale of the Seller's Vehicle License Fee Receivable From the State; and Directing and Authorizing Certain Other Actions in Connection Therewith"

5. Water Pollution Control Facility Improvement Phase I, Approval of Addenda and Rejection of Single Bids, and Authorization to Procure in the Open Market through Negotiations

Staff report submitted by Deputy Director of Public Works Ameri, dated June 21, 2005, was filed.

It was moved by Council Member Henson, seconded by Council Member Dowling, and carried unanimously, to adopt the following:

Resolution 05-075, "Resolution Approving Addenda Nos. 1, 2, 3, and 4, Rejecting the Single Bid for the Water Pollution Control Facility Improvements, Phase I Project, Project No. 7518, and Authorizing Procurement of Construction on the Open Market Through Negotiation"

6. Project Management Services for Implementation of Cannery Plan

Staff report submitted by City Manager Armas, dated June 21, 2005, was filed.

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It was moved by Council Member Henson, seconded by Council Member Dowling, and carried unanimously, to adopt the following:

Resolution 05-076, "Resolution Authorizing the City Manager to Execute an Employment Agreement Between Lynn Dantzker and City of Hayward"

## **LEGISLATIVE BUSINESS**

7. Adoption of the Budget for the City of Hayward and Redevelopment Agency for Fiscal Year 2005-06, including the Master Fee Schedule, Gann Appropriation Limit, Community Promotion Program Funding and Capital Improvement Program Budget

Staff report submitted by City Manager/Executive Director Armas, dated June 21, 2005, was filed.

City Manager/Executive Director Armas presented the report and responded to Council questions.

Discussion ensued related to the elimination of the narcotics task force, police staffing issues, and budget constraints. Council/RA Members Dowling and Henson asked for further information on the undercover task force.

City Manager/Executive Director Armas stated that this task force was a recommendation to freeze the positions of a sergeant and three officers with a cost of approximately \$500,000. The uniformed street narcotics task force is now underway and can perform undercover services as well. There is currently an officer who is designated to the Alameda County Task Force.

Police Chief Lowe stated that the streets narcotics task force has the capability to perform both undercover and uniformed. In response to Council/RA Member Henson's question related to the number of staff available, he noted that there are 18 frozen positions, 14 officers out on injuries, 2 officers in military training and five officers in training. He noted that should the Council determine to augment his budget, the street narcotics task force would not be his organization's priority. It would take an additional six to nine months to re-institute the task force.

Council/RA Member Halliday expressed her concerns related to the police department. She recalled from a recent presentation that auto thefts were the highest criminal activity and emphasized that this was a property issue. She also expressed concern on the impacts of the recent newspaper article headline related to the elimination of the narcotics task force.

City Manager/Executive Director Armas reported that he would prefer to make budget cuts rather than utilize contingencies. He reiterated that it is not good budgeting practice to rely on one-time dollars or reserves to meet on-going obligations. The windfall came from

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property transfer tax and this may not occur in the future. He pointed out that policy decisions could be considered at the mid-year budget discussions.

In response to Council/RA Member Jimenez's question staff reported that if there is a serious drug problem, the county task force could come into the City, share resources and focus on the issue. A report recently published included five cases in Hayward.

Council/RA Member Dowling asked for clarification and was informed by Police Chief Lowe that the current street narcotics task force includes uniformed officers, who drive unmarked cars to address street level drug dealing and described their duties and schedules. The current undercover street narcotics officers work cases related to Hayward. Police Chief Lowe also reported that including Alameda County's Narcotics Task Force, which includes a Hayward Police officer, is almost a three-tiered drug related task force. Other cities in the county are also pulling staff from the county task force to deal with demanding core services. His staff is consistently reviewing and re-defining issues to direct personnel and appropriate resources where it is most needed. City Manager/Executive Director Armas also indicated that there were a number of retirements that impacted this department.

Mayor/Chair Cooper opened the public hearing at 8:54 p.m.

John Kyle commented on the income from rentals at the airport.

Mayor/Chair Cooper closed the public hearing at 8:57 p.m.

Council/RA Member Quirk stated that he would move to adopt the recommended budget resolutions. He thanked staff for its excellent preparation, acknowledged Police Chief Lowe as he presented the Police Department's current priorities, and agreed with City Manager/Executive Director Armas on not depending on one-time monies to offset continuing operational needs. He anticipated the two-year budget plan in the future.

Council/RA Member Quirk, seconded by Council/RA Member Ward, moved to adopt the recommended budget resolutions. As part of his motion, he included the \$1,800 from community funding towards the Zucchini Festival Committee.

Council/RA Member Henson offered a friendly amendment that would take \$200,000 from the CIP fund for entryway monuments and \$300,000 from the hotel contingency fund towards the Police Department's operational needs. It was noted that the monuments funding was from the Redevelopment Agency and could not be utilized in this manner.

Council/RA Member Quirk did not accept the friendly amendment. Council/RA Member Dowling moved to second the substitute motion for the \$300,000 and the

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elimination of the Redevelopment Agency funds.

Discussion related to budget adjustments continued. Mayor Cooper expressed her dismay that this motion was to be considered at this time when there were multiple opportunities for Council Members to make recommendations for particular departments prior to this public hearing. It seemed to present Council as dictating to a department.

Council Member Henson commended staff for the budget preparation and suggested that the police department be a priority next year. He noted that the funding would be discretionary for the police department.

It was moved by Council/RA Member Henson, seconded by Council/RA Member Dowling and failed by the following roll call vote to adopt the budget resolutions as moved by Council/RA Member Quirk, with an additional amendment to take \$300,000 from the Hotel/Conference Contingency fund to further fund the Police Department budget.

AYES: Council Members Ward, Dowling, Henson  
NOES: Council Members Jimenez, Quirk, Halliday  
MAYOR Cooper  
ABSENT: None  
ABSTAINED: None

Council Member Halliday reported that she almost supported the substitute motion, as she had also heard from the public, but did not feel \$300,000 should be taken from the reserves. She did not feel this was fiscally prudent. She hoped that this need be a priority in the next budget cycle.

As the substitute motion failed, the main motion was then voted on.

It was moved by Council/RA Member Quirk, seconded by Council/RA Member Ward, and carried unanimously, to adopt the following:

Resolution 05-078, "Resolution Approving the Budget of the City of Hayward for Fiscal Year 2005-2006; Adopting Appropriations for Fiscal Year 2005-2006"

RA Resolution 05-12, "Resolution Approving the Budget of the Redevelopment Agency of the City of Hayward and Adopting Appropriations for Fiscal Year 2005-2006"

Resolution 05-079, "Resolution Adopting a Revised Master Fee Schedule Relating to Fees and Charges for Departments in the City of Hayward and Rescinding Resolution No. 04-103 and All Amendments Thereto"

Resolution 05-080, "Resolution Approving Capital Improvement Projects for Fiscal Year 2005-2006"



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Resolution 05-081, "Resolution Establishing the Appropriation Limit for Fiscal Year 2005-2006"

**8. Suspension of Adjustment to City Council Compensation**

Staff report submitted by City Manager Armas, dated June 21, 2005, was filed.

Mayor Cooper noted that this was an action that was taken last year and it would be appropriate to repeat this action as employees have also done this.

There were no requests to speak. Mayor Cooper opened and closed the public hearing at 9:12 p.m.

It was moved by Council/RA Member Quirk, seconded by Council/RA Member Ward, and carried unanimously, to suspend the annual adjustment to the City Council's compensation.

**9. Consideration of Removing Nuclear Free Signs**

Staff report submitted by City Manager J. Armas, dated June 21, 2005, was filed.

Council Member Ward stated that he requested that this subject be placed on the agenda. His re-stated his reason for the removal was to eliminate sign clutter. He emphasized that his commitment to keeping Hayward nuclear free.

Mayor Cooper opened and closed the public hearing at 9:14 p.m.

Council Member Dowling reported that he received a call from interested parties who could not be at this meeting and utilized his Council Prerogative to continue this for one week and no further action taken.

Introduced Ordinance 05- \_\_, "An Ordinance of the Hayward City Council Reaffirming Its Commitment to Remain a Nuclear Free Zone"

**COUNCIL REPORTS**

Mayor Cooper reported on her recent trip to Chicago as part of the U.S. Conference of Mayors and was impressed with some of its amenities. She noted that most of the community events are free to the public. With this in mind, she proposed having the

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Zucchini Festival celebration in downtown Hayward and not charge an admittance fee, but that vendors could be assessed an amount to have a booth.

While in Chicago, she also noticed that certain main streets have a smaller sign that honors a particular individual. She thought this might be a good idea for Hayward to name parts of a main street in honor of individuals, such as Banning Fenton, for about five or ten years. She suggested a sub-committee explore this idea. Council Member Henson agreed and mentioned that the signs in Chicago were larger than Hayward's and well-lit. Council Member Ward also made favorable comments.

## **ADJOURNMENT**

Mayor Cooper adjourned the meeting at 9:24 p.m., in honor of Ruth Alexander, who died on June 18<sup>th</sup> in Scotts Valley. She was a former long-time resident of New England Village Mobile Home Park and served as president of the home owners association and received two Mayor's Awards for her work. Her family asked that donations be made to the Hospice Caring Project in Aptos.

Council Member Halliday requested that the meeting be adjourned in memory of Banning Fenton, who died on May 28. A retired school teacher, he is most remembered for the preservation of Hayward's history by authoring a book and hosting history walks. She indicated that through his wife, Alwine Fenton's activities he also became involved in the arts and volunteered much of his time at the John O'Lague Gallery.

## **APPROVED:**

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Roberta Cooper, Mayor, City of Hayward  
Chair, Redevelopment Agency  
Chair, Housing Authority

## **ATTEST:**

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Angelina Reyes, City Clerk, City of Hayward  
Secretary, Redevelopment Agency  
Secretary, Housing Authority